

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

Civil Action No. 04-10233-RCL

JONATHAN BEIJAR
Plaintiff

v.

STANLEY FASTENING SYSTEMS, L.P.
Defendant

ASSENTED-TO MOTION TO EXTEND THE SCHEDULING ORDER

Now comes defendant Stanley Fastening Systems, L.P. (“Stanley”) and moves the Court to extend the following deadlines in its scheduling order by 30 days, as set forth below:

- A. Dispositive Motions filed by October 21, 2005;
- B. Oppositions to Dispositive Motions filed by November 14, 2005;
- C. Settlement Conference held by December 5, 2005;
- D. Final Pre-Trial Conference held by January 3, 2006;
- E. Trial held after January 3, 2006.

As good cause for this motion, the undersigned aver that this extension is needed because the current scheduling order calls for dispositive motions to be filed by September 21, 2005. The parties are engaged in serious discussions in an effort to resolve the case. Accordingly, to permit the parties to continue these settlement discussions and not cause prejudice to either party, the parties request that this brief extension of time be permitted. In accordance with Local Rule 7.1(a)(2), Stanley’s

counsel has conferred with Plaintiff's counsel and the Plaintiff's counsel assents to this request and the relief sought herein.

WHEREFORE, Stanley requests that this motion be granted and that the Court's scheduling order be amended, as set forth above.

Respectfully submitted,

STANLEY FASTENING SYSTEMS,
L.P.,
By its Attorney,

/s/ Christopher A. Duggan
Christopher A. Duggan, Esquire
BBO No. 544150
David G. Braithwaite, Esquire
BBO No. 634013
Smith & Duggan LLP
Lincoln North
55 Old Bedford Road
Lincoln, MA 01773
(617) 228-4400

Dated: September 21, 2005

Assented to by:

JONATHAN BEIJAR,
By his Attorney,

/s/ Scott W. Lang
Scott W. Lang, Esquire BBO #285720
Lang, Xifaras & Bullard
115 Orchard Street
New Bedford, MA 02740
(508) 992-1270

Dated: September 21, 2005

CERTIFICATION OF COMPLIANCE WITH LOCAL RULE 7.1(a)(2)

Pursuant to Local Rule 7.1(a)(2), the undersigned counsel certifies that on September 20, 2005, he contacted the Plaintiff's counsel regarding the grounds for and relief requested by this motion and the Plaintiff assents to both.

/s/ Christopher A. Duggan
Christopher A. Duggan, Esquire

Dated: September 21, 2005